

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

1

**The Minutes**

**August 1, 2005**

- C045811      THE PEOPLE v. GEROLAGA, JR.      (Not for Publication)**  
The sentence on count 7 (false imprisonment) is stayed...  
ROBIE, J.  
We Concur: Nicholson, Acting P.J.  
Raye, J.
- C046182      THE PEOPLE v. SPAIN et al.      (Not for Publication)**  
The judgments are affirmed.  
RAYE, J.  
We Concur: Nicholson, Acting P.J.  
Robie, J.
- C047679      THE PEOPLE v. NORIEGA      (Not for Publication)**  
The judgment is affirmed.  
Robie, J.  
We Concur: Morrison, Acting P.J.  
Butz, J.
- C048428      THE PEOPLE v. JUAREZ, JR.      (Not for Publication)**  
Imposition of the restitution and parole revocation fines of \$1,400 each is vacated...  
ROBIE, J.  
We Concur: Sims, Acting P.J.  
Davis, J.
- C045455      THE PEOPLE v. COE      (Not for Publication)**  
THE COURT:  
It is ordered that the opinion on rehearing filed herein on July 1, 2005, be modified as follows:...  
...There is no change in the judgment.  
Defendant's petition for rehearing is denied.  
BY THE COURT:  
BLEASE, Acting P.J.  
NICHOLSON, J.  
RAYE, J.
- C046897      FLEETWOOD RETAIL CORPORATION OF CALIFORNIA v. DENISON et al.**  
BY THE COURT:  
Appellant's petition for rehearing is denied without prejudice to litigating the prevailing parties issue in the trial court.  
RAYE, Acting P.J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

2

**The Minutes**

**August 2, 2005**

- C045685      THE PEOPLE v. ISEZAKI      (Not for Publication)**  
The judgment is affirmed.  
DAVIS, J.  
We Concur: Scotland, P.J.  
Nicholson, J.
- C047039      THE PEOPLE v. SOLI      (Not for Publication)**  
The judgment is modified... As so modified, the judgment is affirmed.  
RAYE, J.  
We Concur: Scotland, P.J.  
Hull, J.
- C047164      THE PEOPLE v. HOUTEN      (Not for Publication)**  
The judgment is affirmed.  
Blease, Acting P.J.  
We Concur: Nicholson, J.  
Cantil-Sakauye, J.
- C048775      THE PEOPLE v. LUTZOW      (Not for Publication)**  
The judgment is affirmed. The trial court is directed to amend the abstract of judgment...  
SCOTLAND, P.J.  
We Concur: Raye, J.  
Hull, J.
- C047205      In re J.G., et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES      (Not for Publication)**  
The judgment is affirmed.  
RAYE, J.  
We Concur: Scotland, P.J.  
Hull, J.
- C048295      In re J.T.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. M.T. and W.M. et al. (Not for Publication)**  
The orders of the juvenile court are affirmed.  
SCOTLAND, P.J.  
We Concur: Raye, J.  
Hull, J.



**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

4

**The Minutes**

**August 4, 2005, continued**

- C048090      THE PEOPLE v. McDANIEL      (Not for Publication)**  
The judgment is modified... As modified, the judgment is affirmed.  
SIMS, Acting P.J.  
We Concur: Raye, J.  
Hull, J.
- C048228      THE PEOPLE v. HARRIS      (Not for Publication)**  
The consecutive life sentences on counts 2 and 11 are vacated and the matter is remanded to the trial court for resentencing on those counts... In all other respects, the judgment is affirmed...  
Raye, J.  
We Concur: Scotland, P.J.  
Hull, J.
- C048312      THE PEOPLE v. KNAUFF      (Not for Publication)**  
The judgment is affirmed.  
HULL, J.  
We Concur: Scotland, P.J.  
Raye, J.
- C048736      THE PEOPLE v. SWAIN      (Not for Publication)**  
The judgment is affirmed.  
BLEASE, Acting P.J.  
We Concur: Sims, J.  
Hull, J.

**August 5, 2005**

At 9:36 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Scotland, Presiding Justice, Blease, Associate Justice, Butz, Associate Justice and Rios, bailiff.

- C050297      COSTA et al. v. THE SUPERIOR COURT OF SACRAMENTO COUNTY and LOCKYER etc., et al.**  
Cause called. Daniel M. Kolkey argued for petitioners. Thomas S. Knox argued and Laurie Giberson appeared only for real parties in interest, McPherson etc. Vickie Whitney, Deputy Attorney General, argued for real party in interest, Lockyer, etc. Deborah Caplan argued for real party in interest Californians for Fair Representations. Cause submitted.

At 11:25 a.m., the court recessed until 9:30 a.m., Monday, August 22, 2005.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

5

**The Minutes**

**August 5, 2005, continued**

- C042896      THE PEOPLE v. MACIEL      (Not for Publication)**  
Defendant's conviction for violating section 273.5(e) is reversed...  
SCOTLAND, P.J.  
We Concur: Nicholson, J.  
Robie, J.
- C045779      THE PEOPLE v. CASTANEDA      (Not for Publication)**  
The judgment is affirmed.  
HULL, J.  
We Concur: Morrison, Acting P.J.  
Cantil-Sakauye, J.
- C046379      THE PEOPLE v. HIGGINS      (Not for Publication)**  
The judgment is reversed, and the matter is remanded to the trial court for further proceedings.  
SCOTLAND, P.J.  
We Concur: Nicholson, J.  
Raye, J.
- C046020      MELROSE v. WEINER      (Not for Publication)**  
The judgment of dismissal is affirmed.  
HULL, J.  
We Concur: Morrison, Acting P.J.  
Cantil-Sakauye, J.
- C047736      MAMMOTH CREEK HOMEOWNER'S ASSOCIATION et al. v. RAU**  
**C047084      MAMMOTH CREEK HOMEOWNER'S ASSOCIATION et al. v. RAU**  
**(Not for Publication)**  
The judgment is affirmed. Plaintiffs shall receive their costs on appeal.  
(Cal. Rules of Court, rule 27(a).)  
SIMS, Acting P.J.  
We Concur: Davis, J.  
Morrison, J.